SB 1383
Reducing Short-Lived Climate Pollutants in California

US EPA Region 9
October 3, 2018
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CalRecycle

An Overview of SB 1383's Organic Waste Reduction Requirements
California’s Climate Strategy

An Integrated Plan for Addressing Climate Change

Vision

Reducing Greenhouse Gas Emissions to 40% Below 1990 Levels by 2030

Goals

- 50% reduction in petroleum use in vehicles
- 50% renewable electricity
- Double energy efficiency savings at existing buildings
- Carbon sequestration in the land base
- Reduce short-lived climate pollutants
- Safeguard California

Reduce Organic Waste Disposal
Recover Edible Food from Waste Stream
Reduce Methane Emissions
CLIMATE CHANGE NEGATIVELY IMPACTS CALIFORNIA

Landfilled Organics Emit Methane Gas

Methane is significantly more powerful than CO2

Methane Gas Contributes to Climate Change in California

Increase in many health risks

Increase in wildfire and coastal erosion
California Throws Away 5.6 Million Tons of Food Waste Every Year!

Fighting Food Insecurity in California

1 in 8 People in California are Food Insecure

1 in 5 Children in California are Food Insecure
<table>
<thead>
<tr>
<th>Year</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>50 Percent Reduction in Landfilled Organic Waste (11.5 Million Tons Allowed Organic Waste Disposal)</td>
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<tr>
<td>2025</td>
<td>75 Percent Reduction in Landfilled Organic Waste (5.7 Million Tons Allowed Organic Waste Disposal)</td>
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<tr>
<td>2025</td>
<td>20 Percent Increase in Recovery of Currently Disposed Edible Food</td>
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</table>
Organic Waste Reduction Targets

By 2020
10 Million TPY

2025 → 20+ Million TPY

Allowable Disposal of Organics Statewide

- Projected Organics in Disposal and Disposal-Related (Business As Usual)
- Maximum Allowable Tons of Organics Disposal and Disposal-Related to Meet 2020 (50%) and 2025 (75%) Mandates
- Historical Organics in Disposal and Disposal-Related
SB 1383 Key Implementation Dates

- **2014**: Organic Waste Disposal Base Year
- **2017-2018**: Informal Rulemaking
- **2018-2019**: Formal Rulemaking
- **Jan. 1, 2020**: 50 Percent Reduction in Organic Waste Disposal
- **July 1, 2020**: CalRecycle and ARB Analysis on Market Conditions
- **Jan. 1, 2022**: Regulations and CalRecycle Enforcement Begin
- **Jan. 1, 2024**: Regulations Require Locals to Take Enforcement
- **Jan. 1, 2025**: 75% Reduction in Organics Disposal, 20% Increase in Edible Food Recovery
Organic Waste Recycling Infrastructure

Approximately 180 Composting Facilities (25 Permitted to Accept Food Waste)

14 Operational Anaerobic Digesters

Existing POTWs and Other Infrastructure

SB 1383 Requires 50-100 New or Expanded Organic Waste Recycling Facilities
Setting Greenhouse Gas Emissions Reduction Targets WORKS!

**AB 32 (2006)**

Required California to Cut Greenhouse Gas Emissions to 1990 Levels by 2020

In 2016, California reached this goal early!
SB 1383: An Integral Part of California’s Climate Strategy

Governor Brown Signs Nation’s Toughest Super Pollutant Restrictions into Law

Published Sep 19, 2016

LONG BEACH – Governor Edmund G. Brown Jr. today signed SB 1383 by Senator Ricardo Lara (D-Bell Gardens), which establishes the nation’s toughest restrictions on destructive super pollutants including black carbon, fluorinated gases and methane. If followed worldwide, these acts would help cut the projected rate of global warming in half by 2050.

“Cutting black carbon and other super pollutants is the critical next step in our program to combat climate change,” said Governor Brown at a signing ceremony near a Long Beach playground bordered by oil refinery smokestacks. “This bill cuts these dangerous pollutants and thereby protects public health and slows climate change.”

The Super Pollutants Act of 2016 would require the State of California to reduce black carbon and other super pollutants (also known as short-lived climate pollutants) and promotes renewable gas by requiring a 90 percent reduction in methane and hydrofluorocarbon from 2013 levels by 2030. Sources of these gases include, but are not limited to, coal- and synthetic gas used in refrigeration, air conditioning, and commercial and residential heating and cooling.

Many strategies will be necessary to redirect manure and organic waste toward more productive uses that reduce emissions and stimulate our economy...
LEGAL REQUIREMENTS FOR THE REGULATIONS

What Does the Law Require?

What Does the Law Permit?

What Does the Law Prohibit?


(1) The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The state board is also required to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants, as defined, in the state.

This bill would require the state board, no later than January 1, 2018, to approve and begin implementing that comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve a reduction in methane by 40%, hydrogen fluoride gases by 40%, and anthropogenic black carbon by 50%, below 2013 levels by 2030, as specified. The bill also would establish specified targets for reducing organic waste in landfills.

This bill would require the state board, in consultation with the Department of Food and Agriculture, to adopt regulations to reduce methane emissions from livestock manure management operations and dairy manure management operations, as specified. The bill would require the state board to take certain actions prior to adopting those regulations. This bill would require the regulations to take effect on or after January 1, 2024, if the state board, in consultation with the department, makes certain determinations.

This bill would require the state board, the Public Utilities Commission, and the State Energy Resources Conservation and Development Commission to undertake various actions related to reducing short-lived climate pollutants in the state. The bill would require state agencies to consider and, as appropriate, adopt policies and incentives to significantly increase the sustainable production and use of renewable gas.

(2) The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program that requires each...
Legislature Directed CalRecycle to Comply with the Following in Developing Regulations:

- Consult with California Air Resources Board
- Include Requirements to Recover at Least 20% of Currently Disposed Edible Food
- Support Cost Effective and Environmentally Beneficial Uses of Bio-methane Derived from Solid Waste Facilities
Legislature Specified that CalRecycle’s Regulations May:

1. Impose Penalties on Regulated Entities
2. Require Jurisdictions to Impose Requirements on Relevant Entities
3. Establish Different Levels of Requirements for Jurisdictions
Legislature Prohibited CalRecycle from Including Provisions in the Regulations that:

1. Impose an Organic Waste Ban on Landfills
2. Require Jurisdictions to Impose Penalties on Regulated Entities Prior to 2024
3. Impose 50% and 75% Recycling Targets on Individual Jurisdictions
Today's Overview

- Collection and Processing of Organic Waste
- Monitoring, Education, And Outreach
- Edible Food Recovery
- Recycled Product Procurement
- Enforcement
Each Jurisdiction (Or Their Designee) Must Provide An Organic Waste Collection Service to all Generators

Regulations Allow a Menu of Service Options, Each Option is Subject to Minimum Standards
Contamination Monitoring

Quarterly Route Reviews

Respond to Contamination Notices From Facilities

Notices to Generators.
Provide Annual Education to all Generators (Commercial and Residential)

Annually Confirm Commercial Businesses Compliance

2022-2024 Education and Noticing for Noncompliance

2024 Enforcement For Noncompliance
Jurisdiction Progressive Enforcement and Compliance Structure

Notices of Violation

Penalty Structure
## Jurisdiction Progressive Enforcement and Compliance Structure

### Notices of Violation

### Progressive Penalty Structure

#### Table 1

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Description of Violation</th>
<th>1st Violation</th>
<th>2nd Violation</th>
<th>3rd and subsequent Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property and Business Owner Responsibility Requirement</td>
<td>Property owner or business owner fails to provide or arrange for organic waste collection services consistent with Article 3 of this chapter for employees, contractors, tenants, and...</td>
<td>Level 1</td>
<td>Level 2</td>
<td>Level 4</td>
</tr>
<tr>
<td>Section 30.10</td>
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</tbody>
</table>
KEY ELEMENTS OF REGULATIONS

EDIBLE FOOD RECOVERY

- Jurisdiction Edible Food Recovery Program
- Commercial Edible Food Generators
- Food Recovery Organizations and Services
**KEY ELEMENTS OF REGULATIONS**

- Recovered Organic Waste Products
- Recycled Content Paper
- Record-Keeping
AB 939 Good Faith Effort Does Not Apply

Jurisdictions that Fail to Meet Requirements Will Be Out of Compliance

However, a Jurisdiction Can Be Placed on “Corrective Action Plan” IF Jurisdiction Demonstrates It Made Substantial Efforts to Comply and Failure to Comply Was Due to Circumstances Beyond Their Control
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QUESTIONS

An Overview of SB 1383's Organic Waste Reduction Requirements
Pilot Reuse Grant Program Workshop

• CalRecycle is hosting a workshop in anticipation of a new Pilot Reuse Grant Program on Wednesday, November 14, 2018. The workshop will be held at 1:30 pm in the Sierra Hearing Room at the Cal/EPA Headquarters Building, 1001 I Street, Sacramento, CA.

• Discussion topics will include potential project types, eligible entities, potential reuse activities, verification of reuse, and development of greenhouse gas emissions reduction quantification methodologies. The Pilot Reuse Grant Program solicitation is planned for Summer 2019 (contingent upon California Climate Investments funding allocated to CalRecycle in the FY 2019-20 proposed budget).

• For more information on the workshop and webcast capabilities, please see the public notice: https://www2.calrecycle.ca.gov/PublicNotices/Details/2506

• Please send questions to: GHGReductions@CalRecycle.ca.gov
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